

March 26, 1984

LB 852

is time to try it this way in the next decade and then I think that we will see some of our problems resolved. I move for the advancement of LB 852.

SPEAKER NICHOL: Senator Kahle. Excuse me, Senator Kahle, we have an amendment first.

CLERK: Mr. President, Senator Beyer would move to amend. Senator Beyer's amendment is on page 1788 of the Journal.

SPEAKER NICHOL: Senator Beyer.

SENATOR BEYER: Pat, let's pass over this amendment for the time being. I'll speak to the bill.

SPEAKER NICHOL: Do you have any other amendments, Mr. Clerk? Now, Senator Kahle, you may.

SENATOR KAHLE: Mr. President and members, I guess I am surprised to see this kind of legislation come up. I had always thought that a natural drain was a natural drain and that as long as we kept it natural we were all right. I, of course, am not familiar with tiling. But I wonder, I guess, how this bill affects the rest of us across the State of Nebraska. We have had an enormous amount of trouble in our area over irrigation water running on from one farmer to the other. I think we really accomplished a great deal in solving that by providing in our particular area drainage canals which take the excess water, which we have right now. I have a foot in my potato cellar right now, so I know how high the water is. But we have had a lot of trouble, and when I was with county government, we had an enormous amount of trouble with farmers running water on to each other, and the lawsuits that Senator Hefner talks about. Much of that has now been solved, we still have problems with water getting in road ditches and things like that. But, our problem never involved a natural drain. If there was a natural drain there, why the water did run down that natural drain and whoever had the natural drain on their property took whatever came down there. I guess I'm not as familiar as I could be with the tiling, but I wonder how they work it in Iowa where an enormous amount of tiling is done and where